

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DUANE BROCK THOMAS,)	
)	
Petitioner,)	Civil Action No. 15-447
)	
v.)	Judge Cathy Bissoon
)	Magistrate Judge Cynthia Reed Eddy
SUPERINTENDENT NANCY)	
GIROUX, <i>et al.</i> ,)	
)	
Respondents.)	

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On April 23, 2018, the Magistrate Judge issued a Report (Doc. 25) recommending that Duane Brock Thomas's 2254-habeas Petition be dismissed, and that a certificate of appealability be denied. Service of the Report and Recommendation was made, and Petitioner has filed Objections. *See* Doc. 28.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, it hereby is ORDERED that Duane Brock Thomas's 2254-habeas petition is **DISMISSED**; a certificate of appealability is denied; and the Report and Recommendation is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

June 26, 2018

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via First-Class U.S. Mail):

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cc (via ECF email notification):

All counsel of record